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09/942,796	08/30/2001	Kulvir Singh Bhogal	AUS920010512US1	9733

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EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2645

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9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/942,796	Applicant(s) BHOGAL ET AL.	
	Examiner Gerald Gauthier	Art Unit 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____. | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2645

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1, 3-5, 7, 9-11, 13, 15-17, 19, 21-23 and 25-27** are rejected under 35 U.S.C. 102(b) as being anticipated by Irribarren et al. (US 5,530,740).

Regarding **claim 1**, Irribarren discloses a method for integrating voice, facsimile and electronic mail data through a personal computer (column 1, lines 16-20), (which reads on claimed "a method for entering messages into a database"), the method comprising:

receiving a message (column 6, line 20 "leave a message") from a user (column 6, line 15 "a caller") by means of one of a plurality of allowable communication devices (column 6, lines 15-31) [The caller leave a message in the user's mailbox through a telephone]; and

entering the message (column 6, line 32 "a facsimile") into a designated account (column 6, line 33 "a mailbox") in the database (400 on FIG. 3A) by converting and storing the message in a uniform storage format (column 6, line 44 "a speech file")

Art Unit: 2645

specified for the designated account, wherein the uniform storage format is different from a data format (column 6, line 44 "a digital image file") used by the communication device and wherein the uniform storage format is one of a plurality of different uniform storage format used in the database (column 6, lines 32-48) [The message is stored in the database based on the mailbox of the user and the database can have text and facsimile].

Regarding **claims 3, 9, 15 and 21**, Irribarren discloses requesting personal identification information from the user, wherein the information is used to verify access rights to the database (column 9, lines 27-40).

Regarding **claims 4, 10, 16 and 22**, Irribarren discloses wherein the message entered into the database is a voice message (column 6, lines 14-31).

Regarding **claims 5, 11, 17 and 23**, Irribarren discloses wherein the message entered into the database is a text message (column 6, lines 32-48).

Regarding **claim 7**, Irribarren discloses a method for integrating voice, facsimile and electronic mail data through a personal computer (column 1, lines 16-20), (which reads on claimed “a method for retrieving messages from a database”), the method comprising:

receiving a message-retrieval request to retrieve a requested message (column 7, line 6 “a user make a single telephone call”) from a user (column 7, line 6 “a user”) by means of one of a plurality of allowable communication devices (column 7, lines 4-18);

retrieving the requested message from a designated account (column 9, line 30 “sender’s voice mailbox”) in the database, wherein the message is stored in a uniform storage format (column 9, line 29 “voice message”) specified for the designated account and wherein the uniform storage formats used in the database and messages for each designated account are only stored in the uniform storage format specified for such designated account (column 6, lines 49-62);

converting the message from the uniform storage format to a data format (column 9, line 37 “the message may be played”) compatible with the communication device (column 9, lines 27-40); and

conveying the converted message to the user (column 9, lines 27-40).

Regarding **claim 13**, Irribarren discloses a system for integrating voice, facsimile and electronic mail data through a personal computer (column 1, lines 16-20), (which reads on claimed “a computer program product in a computer readable medium for use in a data processing system, for entering messages into a database”), the computer program product comprising:

instructions for receiving a message (column 6, line 20 “leave a message”) from a user (column 6, line 15 “a caller”) by means of one of a plurality of allowable communication devices (column 6, lines 15-31) [The caller leave a message in the user’s mailbox through a telephone];

instructions for entering the message (column 6, line 32 “a facsimile”) into a designated account (column 6, line 33 “a mailbox”) in the database (column 6, lines 32-41); and

by converting and storing the message in a uniform storage format (column 6, line 44 “a speech file”) specified for the designated account, wherein the uniform storage format is different from a data format (column 6, line 44 “a digital image file”) used by the communication device and wherein the uniform storage formats used in the database (column 6, lines 32-48) [The message is stored in the database based on the mailbox of the user and the database can have text and facsimile].

Regarding **claim 19**, Irribarren discloses a system for integrating voice, facsimile and electronic mail data through a personal computer (column 1, lines 16-20), (which reads on claimed “a computer program product in a computer readable medium for use in a data processing system, for retrieving messages from a database”), the computer program product comprising:

instructions for receiving a message-retrieval request to retrieve a requested message (column 7, line 6 “a user make a single telephone call”) from a user (column 7, line 6 “a user”) by means of one of a plurality of allowable communication devices (column 7, lines 4-18);

instructions for retrieving the requested message from a designated account (column 9, line 30 “sender’s voice mailbox”) in the database, wherein the message is stored in a uniform storage format (column 9, line 29 “voice message”) specified for the designated account, wherein the uniform storage formats is one of a plurality of different uniform storage formats used in the database and messages for each designated account are only stored in the uniform storage format specified for such designated account (column 6, lines 49-62);

instructions for converting the message contents from the uniform storage format to a data format (column 9, line 37 “the message may be played”) compatible with the communication device (column 9, lines 27-40); and

instructions for conveying the converted message to the user (column 9, lines 27-40).

Regarding **claim 25**, Irribarren discloses a system for integrating voice, facsimile and electronic mail data through a personal computer (column 1, lines 16-20), (which reads on claimed “a system for entering messages into a database”), the system comprising:

a receiver (109 on FIG. 2) adapted to receive a message (column 6, line 20 “leave a message”) from a user (column 6, line 15 “a caller”) by means of one of a plurality of allowable communication devices (column 6, lines 15-31) [The caller leave a message in the user’s mailbox through a telephone];

a filing component (206 on FIG. 2) adapted to associate the message with a designated account (column 6, line 32 “a facsimile”) in the database (column 6, lines 32-41); and

a storage component (208 on FIG. 2) adapted to convert and store the message in a uniform storage format (column 6, line 44 “a speech file”) specified for the designated account, wherein the uniform storage format is different from a data format (column 6, line 44 “a digital image file”) used by the communication device and wherein the uniform storage format is one of a plurality of different uniform storage formats used in the database (column 6, lines 32-48) [The message is stored in the database based on the mailbox of the user and the database can have text and facsimile].

Regarding **claim 26**, Irribarren discloses a system for integrating voice, facsimile and electronic mail data through a personal computer (column 1, lines 16-20), (which reads on claimed “a system for retrieving messages from a database”), the system comprising:

a receiver (109 on FIG. 2) adapted to receive a message-retrieval request (column 7, line 6 “a user make a single telephone call”) to retrieve a requested message from a user (column 7, line 6 “a user”) by means of one of a plurality of allowable communication devices (column 7, lines 4-18);

a retrieving component (111 on FIG. 2) adapted to retrieve the requested message from a designated account (column 9, line 30 “sender’s voice mailbox”) in the database, wherein the message is stored in a uniform storage format (column 9, line 29 “voice message”) specified for the designated account, wherein the uniform storage formats is one of a plurality of different uniform storage formats used in the database and messages for each designated account are only stored in the uniform storage format specified for such designated account (column 6, lines 49-62);

a conversion component (108 on FIG. 2) adapted to convert the message contents from the uniform storage format to a data format (column 9, line 37 “the message may be played”) compatible with the communication device (column 9, lines 27-40); and

a conveyance component (111 on FIG. 2) adapted to convey the converted message to the user (column 9, lines 27-40).

Art Unit: 2645

Regarding **claim 27**, Irribarren discloses a method for integrating voice, facsimile and electronic mail data through a personal computer (column 1, lines 16-20), (which reads on claimed “a method for storing and retrieving messages in a database”), the system comprising:

receiving a message (column 6, line 20 “leave a message”) from a first (column 4, line 52 “a user”) communication device (column 4, lines 50-59) [The system receives a user’s call to retrieve messages at user’s station];

converting the received message from a first data format (column 6, line 32 “a facsimile”) to a uniform storage format (column 6, line 44 “a speech file”) different from the first data format (column 6, lines 32-44);

storing the converted message in the database (column 6, lines 32-41);

receiving a message retrieval request (column 7, line 6 “a user make a single telephone call”) from another (column 7, line 6 “a user”) communication device (column 7, lines 4-18);

retrieving the converted message from the database (column 7, lines 4-18); and

converting the converted message from the uniform storage format to another data format (column 9, line 37 “the message may be played”), wherein the another data format has a format that is compatible with the another communication device and different from both the first data format and the uniform storage format (column 9, lines 27-40).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. **Claims 2, 6, 8, 12, 14, 18, 20 and 24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Irribarren in view of Penzias (US 5,475,738).

Regarding **claims 2, 8, 14 and 20**, Penzias teaches wherein the allowable communication devices include:

telephone (32 on FIG. 1);

mobile telephone (32 on FIG. 1);

computer (12 on FIG. 1);

PDA (32 on FIG. 1); and

pager (32 on FIG. 1), and wherein the allowable communication devices each send data in format different from the uniform storage format (column 4, lines 59-65).

Regarding **claims 6, 12, 18 and 24**, Penzias discloses wherein the uniform storage format specified for the designated account may be one of the following: AU (column 4, lines 59-65).

Response to Arguments

6. Applicant's arguments with respect to **claims 1-27** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.


g.g.
September 21, 2003

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

